

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 11-26 are presently active in this case. The present Amendment cancels Claims 1-10 and adds new Claims 11-26 without introducing any new matter.

The outstanding Office Action objected to the abstract and Claims 1, 3-7 and 9-10 because of informalities. Claims 1-10 were rejected under 35 U.S.C. §112, second paragraph, as indefinite. Claim 4 was rejected under 35 U.S.C. §112, second paragraph, as incomplete for omitting essential steps. Claims 1-5 and 7-9 were rejected under 35 U.S.C. §102(e) as anticipated by Suonvieri (U.S. Patent No. 6,718,158). Claims 6 and 10 were rejected under 35 U.S.C. §103(a) as unpatentable over Suonvieri in view of Geg-Marconi Hazeltine (Internet publication of GEG-Marconi, herein "Hazeltine").

In response to the objections to the Abstract, the Abstract of the Disclosure is rewritten to correct the noted informalities. In light of their formal nature, the changes to the Abstract do not raise a question of new matter.

In response to the objections to the claims and the rejections under 35 U.S.C. §112, second paragraph, Claims 1-10 are rewritten as new Claims 11-17, 20-23 and 25-26 to correct the noted informalities and to better comply with U.S. claim drafting practice. In view of new Claims 11-17, 20-23 and 25-26, it is believed that all pending claims are definite and no further rejection on that basis is anticipated. If, however, the Examiner disagrees, the Examiner is invited to telephone the undersigned who will be happy to work with the Examiner in a joint effort to derive mutually acceptable language.

In order to vary the scope of protection recited in the claims, new Claims 18-19 and 24 are added. New Claim 18 depends upon Claim 11 and recites "wherein the process is

performed within the at least one group.”¹ New Claim 19 depends upon Claim 11 and recites “wherein the stations are mobile terminals.”² New Claim 24 depends upon Claim 19 and recites “wherein the at least one group is organized in at least one sub-network and the system is located in each of the at least one sub-network.”³ Since the new claims find non-limiting support in the disclosure as originally filed, they are not believed to raise a question of new matter.⁴

In response to the rejection of Claims 1-5 and 7-9 under 35 U.S.C. §102(e), Applicant respectfully requests reconsideration of this rejection and traverses the rejection, as discussed next.

Briefly recapitulating, Applicant’s invention, as recited in original Claim 1, now presented in new Claim 11, relates to a process for keeping and/or restoring communications within a network with planned resources, wherein the network includes stations arranged in at least one group, wherein each group includes at least two stations linked together, and links between the at least two stations can change with time. The process includes the following steps: associating a dummy station to one of the groups, the dummy station including different resources, wherein the different resources are allocated to the stations in the groups; setting-up at least one relay station configured to keep and/or to restore communications between the stations of the groups, based on information about how a group structure evolves; and reallocating resources of the dummy station to the relay station after the step of setting-up the relay, also based on the information about how the group structure evolves. Independent Claim 20 recites similar features in the context of a system to keep and/or restore communications within a network with planned resources.

¹ Finds non-limiting support in the Specification as originally filed, for example at page 3, lines 1-4.

² Idem at page 1, lines 6-8.

³ Idem at page 5, lines 3-16.

⁴ See MPEP 2163.06 stating that “information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter.”

As explained in Applicant's Specification at page 2, lines 11-26 with corresponding Figure 1, Applicant's invention can improve upon background processes for keeping and restoring communications, because the continuity of communication services between mobile stations can be ensured.

Turning now to the applied references, Suonvieri discloses a method of monitoring the operation of a cellular radio system. The system includes a first base station and a repeater adapted to repeat signals sent by the first base station on traffic channels.⁵ However, Suonvieri fails to teach setting-up a relay station configured to keep and/or to restore communications between the at least two stations of a group, based on information about how a group structure evolves. Suonvieri explains that a repeater receives and amplifies to a base station BTS1 signals from a mobile station MS1.⁶ Suonvieri further states that an alarm message is sent to the management station, if the traffic channels used by the repeater do not correspond to the traffic channels included in a list of the base station.⁷ Sending an alarm message sent to the base station, as taught by Suonvieri, *is not* setting-up at least one relay station configured to keep and/or to restore communications between at least two stations, as claimed by Applicant.

Therefore, the reference fails to teach or suggest every feature recited in Applicant's claims, so that Claims 1-5 and 7-9 (now new Claims 11-15 and Claims 20-22) are believed to be patentably distinct over the applied reference. Accordingly, Applicant respectfully traverses, and requests reconsideration of, the rejection based on Suonvieri.⁸

In response of the rejection of Claims 6 and 10 under 35 U.S.C. §103(a), Applicant respectfully traverses the rejection. Since the Claims 6 and 10 are dependent upon Claims 1

⁵ See Suonvieri in the Abstract.

⁶ See Suonvieri at column 3, lines 60-61.

⁷ See Suonvieri at column 3, lines 29-44 and in corresponding Figure 1.

⁸ See MPEP 2131: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," (Citations omitted) (emphasis added). See also MPEP 2143.03: "All words in a claim must be considered in judging the patentability of that claim against the prior art."

and 7 (now independent Claims 11 and 19), and the rejection of the independent claims is believed to be overcome as noted above, dependent Claims 6 and 10, (now Claims 17 and 23) are also believed to be patentably distinct over the applied references. Therefore, Applicant respectfully requests reconsideration of the rejection under 35 U.S.C. §103(a).

Consequently, in view of the present Amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 11-26 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

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